IN THE HIGH COURT OF JUDICATURE AT BOMBAY,

NAGPUR BENCH, NAGPUR

Writ Petition No. 2805 of 2003

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Office Notes, Memoranda of Coram, appearances, Court's orders or directions : Court's or Judge's orders and Registrar's orders.

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CORAM **:** D.D.Sinha and
A.B.Chaudhari, JJ.

DATE **:** February 27, 2007.

Heard Mr.B.G.Kulkarni, Counsel for the Petitioner, Mr.Ahirkar, Assistant Government Pleader for the Respondent No.1 and Mr. R.K.Deshpande, Counsel for the Respondent No.5.

Mr. B.G.Kulkarni, learned counsel for the petitioner states that though there are various issues raised in the present petition including continuation of contract labour practice, the petitioner does not want to press those issues and seeks permission to approach the respondent no.2-State Contract Labour Advisory Board to canvass the grievance about contract labour employees regarding their service conditions.

Mr.Ahirkar, learned Assistant Government Pleader states that, so far as the aspect of service conditions of contract labour employees are concerned, there was no grievance made in this regard till this date by the said employees. However, if any grievance is made by the petitioner-Union in this regard and if it is permissible in

law to raise such grievance before the respondent no.2, it shall be considered and appropriate decision on its own merits, according to law, shall be taken within a period of one year from the date of initiation of such proceedings before the respondent no.2.

Mr. R.K.Deshpande, learned counsel for the respondent no.5-Ballapur Paper Mills Mazdoor Sabha (a recognized Union) has objected for grant of the request made by the learned counsel for the petitioner on the ground that the recognized Union in the respondent no.4-Industry is respondent no.5, who alone is entitled to take care of the interest of its members.

Be that as it may, in the backdrop of the above referred facts, the present Writ Petition is disposed of. It is open for the petitioner to approach the respondent no.2-Board for redressal of its grievance referred to hereinabove, if it is available and permissible in law to raise such grievance before the respondent no.2. It is made clear that so far as the locus of the Petitioner-Union to invoke the powers to the respondent no.2-Board is concerned, the said issue is kept open and it is for the respondent no.2 to consider this aspect.

With these observations, the petition is disposed of. No order as to costs.

JUDGE JUDGE

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